

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

28 SEP 2004



Applicant's or agent's file reference BR-03028PCT	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/JP03/03204	International filing date (day/month/year) 17 March 2003 (17.03.03)	Priority date (day/month/year) 28 March 2002 (28.03.02)
International Patent Classification (IPC) or national classification and IPC B65H 1/26, B41J 13/00		
Applicant BROTHER KOGYO KABUSHIKI KAISHA		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 13 March 2003 (13.03.03)	Date of completion of this report 31 July 2003 (31.07.2003)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/03204

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/03204

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-10, 14-16	YES
	Claims	1, 11-13, 17	NO
Inventive step (IS)	Claims	3, 4, 15, 16	YES
	Claims	1, 2, 5-14, 17	NO
Industrial applicability (IA)	Claims	1-17	YES
	Claims		NO

2. Citations and explanations

Document 1: JP, 4-317929, A (Canon Inc.), November 9, 1992 (11.09.92)

Document 2: JP, 2000-168966, A (Fuji Photo Film Co., Ltd.), June 20, 2000 (06.20.00)

Document 3: Microfilm of the specification and drawings annexed to the written application of Japanese Utility Model Application No. 39878/1986 (Laid-Open Utility Model No. 153226/1987), (Fuji Xerox Co., Ltd.), September 27, 1987 (09.27.87)

Claims 1, 11-13 and 17

The inventions relating to claims 1, 11-13 and 17 are described in document 1 cited in the international search report, and thus do not appear to be novel or involve an inventive step.

Claim 2

Document 2 cited in the international search report discloses a constitution such that an identifying mark is positioned in the sensor reading area disposed on the printer side only when a part of the paper sheet is exposed from a packaging material. The invention of claim 2 does not appear to involve an inventive step based on documents 1 and 2.

Claims 5-10 and 14

Document 3 cited in the international search report discloses an identifying mark constituted so as to display information concerning a paper sheet, an identifying mark composed of multiple bit display parts, and providing an identifying mark on all parts where it can be positioned in the sensor reading area. Setting some of the multiple identifying marks as error marks is a matter of design. The inventions relating to claims 5-10 and 14 do not appear to involve an inventive step over documents 1, 2 and 3.

Claims 3, 4, 15 and 16

The inventions relating to claims 3, 4, 15 and 16 are not described in any of the documents cited in the international search report, nor are they obvious to a person skilled in the art.